

BEFORE THE  
Federal Communications Commission  
WASHINGTON, D.C.

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF SECRETARY

In the Matter of	)	DOCKET FILE COPY ORIGINAL
	)	
Interconnection Between Local Exchange	)	
Carriers and Commercial Mobile Radio	)	CC Docket 95-185
Service Providers	)	
	)	
Equal Access and Interconnection	)	CC Docket 94-54 /
Obligations Pertaining to Commercial	)	
Mobile Radio Service Providers	)	

**COMMENTS AND OPPOSITION TO REQUESTS FOR EXTENSION OF THE  
CELLULAR TELECOMMUNICATIONS INDUSTRY ASSOCIATION**

The Cellular Telecommunications Industry Association ("CTIA")<sup>1</sup>, pursuant to Section 1.46 of the Commission's rules, 47 C.F.R. § 1.46, hereby submits its Comments on the "Request to Extend and Modify the Comment Cycle" ("Request") in the above-captioned proceeding filed by the National Association of Regulatory Utility Commissioners ("NARUC"), and its Opposition to the "Motion for Extension of Time" ("Motion") to file comments and reply comments filed by GTE Service Corporation ("GTE").<sup>2</sup>

CTIA does not oppose the extensions sought by NARUC, but does oppose the extensions sought by GTE. Briefly summarized,

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<sup>1</sup> CTIA is the international organization of the wireless communications industry for both wireless carriers and manufacturers. Membership in the association covers all Commercial Mobile Radio Service ("CMRS") providers, including cellular, personal communications services ("PCS"), enhanced specialized mobile radio, and mobile satellite services.

<sup>2</sup> NARUC's request was filed February 2, 1996; GTE's was filed February 5, 1996.

NARUC's Request for a four day extension to file initial comments<sup>3</sup> and a 15 day extension to file reply comments in this proceeding is relatively modest and seeks to resolve concrete timing obstacles beyond its control. On the other hand, GTE's request for 30 day extensions to both the comment and reply schedule would significantly delay the Commission's consideration of this important issue, thereby undermining the timely resolution of CMRS-LEC interconnection, and is premised upon a vague need for more time to "adequately address these issues."<sup>4</sup> For these reasons, and as more fully set forth below, CTIA has no objection to NARUC's Request, but opposes GTE's Motion.

In support of its Request for a four day extension of the comment deadline in this proceeding, NARUC states that its winter meetings, at which NARUC will adopt a position on the issues raised in the Commission's NPRM, will not conclude until February 28, 1996.<sup>5</sup> In light of this pre-existing schedule, NARUC requests an extension of four days (and only two days after its winter meeting ends) in which to complete and file comments on these issues. CTIA believes that this request is suited to the underlying basis for the request and reasonable.

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<sup>3</sup> NARUC twice states that it requests a four day extension of the comment period (NARUC Request at 1 and 5). Four days from the present February 26, 1996 deadline is March 1, 1996. However, NARUC also twice indicates that the new filing deadline for initial comments would be February 28, 1996, only two days beyond the present deadline. CTIA has no objection to a minimal extension until February 28, 1996 or March 1, 1996.

<sup>4</sup> GTE Motion at 2.

<sup>5</sup> NARUC Request at 4.

Regarding the deadline for reply comments, NARUC notes that the present 15 day cycle is rather compressed considering the interest this proceeding has generated and the fact that jurisdictional issues of particular importance to NARUC's membership are central issues in this proceeding.<sup>6</sup> In this regard, the 15 day reply cycle substantially differs from the 30 day reply cycle afforded interested parties in other recent far-reaching and complex proceedings.<sup>7</sup> Moreover, NARUC states that it frequently takes a week for some of its western members to receive copies of comments, and that many of its state commission members have procedural rules requiring several days notice for approval of pleadings before they can be filed.<sup>8</sup> For these reasons, NARUC requests that the Commission extend the reply comment period by 10 days.<sup>9</sup> CTIA believes that this request is reasonable and supported by good cause.

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<sup>6</sup> NARUC Request at 4.

<sup>7</sup> NARUC Request at 5. NARUC cites Numbering Portability (CC Docket No. 95-116) and the "Emerging Competition" Price-Cap proceeding (CC Docket Nos. 94-1, 93-124, 93-197) as examples. Id.

<sup>8</sup> Id.

<sup>9</sup> NARUC requests that the reply deadline be set at March 24, 1996. Because this date falls on a Sunday, CTIA has no objection to extending the reply comment deadline to Monday, March 25, 1996, or Tuesday, March 26, 1996 (if the Commission adopts the March 1, 1996, comment deadline).

On the other hand, GTE's Motion will serve only to delay this important proceeding unnecessarily.<sup>10</sup> GTE's first proffered basis for extending the comment deadlines, that the "NPRM seeks comments and detailed information on numerous issues," is nothing more than a recitation of the issues GTE believes are implicated by this proceeding. GTE offers no explanation as to why it is unable to address these issues in the time provided. From CTIA's perspective, GTE's motion simply reflects a lack of motivation. Interconnection is crucial to wireless carriers. Therefore, wireless carriers are intimately familiar with the details of their interconnection arrangements. GTE's stated inability to address these issues in a timely fashion merely reflects the fact that its interests are served by delay in this proceeding, not action.

Moreover, Section 1.46(a) of the Commission's rules expressly provides that extensions are not routinely granted.<sup>11</sup> Considering the complexity of the problems addressed in most, if at all, of the NPRMs released by the Commission, grant of an extension based on vague assertions of the need to address "numerous issues" or gather "detailed information"<sup>12</sup> would render such extensions routine indeed.

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<sup>10</sup> GTE's requested comment date is March 26, 1996, with replies due April 26, 1996. The pleading cycle will conclude under NARUC's extension request as modified herein on March 26, 1996.

<sup>11</sup> 47 C.F.R. § 1.46.

<sup>12</sup> GTE Motion at 1.

GTE's second basis for its motion is that the imminent amendment of the Communications Act of 1934 ("Communications Act") by the Telecommunications Act of 1996 ("1996 Act") raises issues that the Commission should consider in this NPRM. GTE specifically references sections 251 and 252 of the 1996 Act, provisions which deal generally with LEC obligations to unbundle their networks and to provide interconnection to competitive local exchange carriers. However, neither of these sections, nor any other provision of the 1996 Act, directly addresses LEC-CMRS interconnection and with good reason. For the purpose of this proceeding, the jurisdictional basis for the proposals set forth in the NPRM is section 332 of the Communications Act, a provision which still retains its full force upon the effective date of the 1996 Act. Moreover, prompt adoption of reciprocal termination (i.e., bill-and-keep) to govern the interconnection relationship between CMRS providers and LECs will further the underlying purposes set forth in §§ 251 and 252, i.e., to ensure the quick removal of any regulatory impediments to the realization of a workably competitive local exchange. In sum, the 1996 Act presents no need for Commission reconsideration of the proposals set forth in the NPRM, and the 1996 Act supports prompt adoption of reciprocal termination.

Indeed, if anything, passage of the 1996 Act makes imperative timely Commission consideration of the NPRM and comments in response thereto. Delay of this proceeding to the extent sought by GTE could result in indefinite delay of adequate

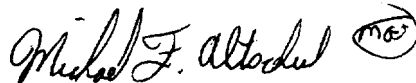
LEC-CMRS interconnection rules as the Commission turns its attention to 1996 Act proceedings with tight statutory deadlines. In fact, any unnecessary delay in the adoption of reciprocal termination (i.e., bill-and-keep) will in turn retard the full realization of the competitive potential of CMRS.

**CONCLUSION**

For these reasons, CTIA respectfully requests (1) that the Commission grant NARUC's Request for an extension and (2) that the Commission deny GTE's Motion.

Respectfully submitted,

**CELLULAR TELECOMMUNICATIONS  
INDUSTRY ASSOCIATION**



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February 7, 1996

Certificate of Service

I, Michael F. Altschul, hereby certify that a copy of  
Comments and Opposition to Requests for Extension of The Cellular  
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